

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

NICHOLAS SERVICES, LLC & CORR FLIGHT S., INC. Plaintiffs, v. UNITED STATES DEPARTMENT OF LABOR, a federal administrative agency; LORI CHAVEZ-DEREMER, in her official capacity as the Secretary of Labor; SCOTT MORRIS, in his official capacity as an Administrative Law Judge of the United States Department of Labor; and JERRY R. DEMAIO in his official capacity as an Administrative Law Judge of the United States Department of Labor. Defendants.	CIVIL ACTION NO.: 3:25-cv-31-DMB-RP
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STATUS REPORT/NOTICE OF SUPPLEMENTAL AUTHORITY

Consistent with this Court’s instructions during the April 11, 2025, hearing in this matter, Plaintiffs provide this report to apprise the Court of pertinent developments in the AIR21 proceedings that Plaintiffs seek to enjoin, and to provide notice of supplemental authority related to the request for an injunction.

1. On May 29, 2025, the ALJ assigned to the Kozola matter denied the motion to stay that Plaintiffs filed in that proceeding, stating that “until such time as a federal court enjoins this Tribunal, it intends to rule on motions and proceed to a decision and order in this matter.”

Exhibit A.¹

¹ The same ALJ is assigned to the DeBuse matter – so presumably he will issue a final decision in that matter too.

2. This leads to two important sub-points regarding irreparable harm:
 - a. The ALJ also ordered that Plaintiffs submit their post-hearing brief no later than June 19, 2025. This drafting process will require extensive review of transcripts, exhibits, and other materials. As a result, Plaintiffs' monetary and reputational damages that stem from being subject to an unconstitutional forum continue to increase.
 - b. While the ALJ's order also denied a battery of motions that Mr. Kozola filed, the motions are still public record and make unfounded, scurrilous allegations against Plaintiffs. These motions cause Plaintiffs additional irreparable reputational harm, even when they are properly denied by the ALJ.

3. Also of note, the ALJ stated his views that "there is no doubt that a U.S. District Court has jurisdiction to decide constitutional matters in these proceedings" and "case law makes it clear that this Tribunal is without authority to rule on matters of constitutional law." *Id.*

Respectfully submitted, this 31st day of May, 2025.

/s/ D. Sterling Kidd
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